

EASTERN DISTRICT OF TEXAS

CIVIL ACTION NO. 1:12-CV-169

BRAD LIVINGSTON, *et al.*,

Defendants.

Plaintiff Curtis Lee Sheppard, an inmate confined at the Michael Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983. The court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court.

Plaintiff has filed a motion seeking a preliminary injunction (#105). The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning the motion. The magistrate judge recommends the motion be denied.


The court has received the Report and Recommendation, along with the record, pleadings, and all available evidence. Plaintiff filed objections to the magistrate judge's Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. After careful consideration, the court is of the opinion plaintiff's objections are without merit. As the court has previously observed, this lawsuit involves events which occurred at the Stiles Unit. In contrast, plaintiff's motion complains of events which occurred at the Michael Unit and which do not involve the named defendants. Any relief plaintiff seeks concerning events at the Michael Unit should be pursued in a separate lawsuit. Events at the Michael Unit do not provide a basis for preliminary injunctive relief in this lawsuit.

ORDER

Accordingly, the objections filed by plaintiff are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. Plaintiff's motion for preliminary injunction is **DENIED**.

SIGNED at Beaumont, Texas, this 6th day of March, 2015.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE